

Shephard, Burt

From: John Toll <JohnT@windwardenv.com>
Sent: Tuesday, June 04, 2013 4:22 PM
To: Shephard, Burt
Cc: Humphrey, Chip; James McKenna; Jennifer Woronets
Subject: Re: Portland Harbor BERA

Thanks Burt. Have a nice evening. John

On Jun 4, 2013, at 7:14 PM, "Shephard, Burt" <Shephard.Burt@epa.gov> wrote:

Hi John,

The cross check of tables is still ongoing, but it does not keep us from sending LWG a conditional approval letter for the BERA. We just need to make sure that the tables are complete in time for you to go through production to meet whatever submission date for the final BERA you receive from Chip.

Regarding your ecological significance text question for Section 11, my message from yesterday is correct. Ecological significance discussions are part of risk characterization, Step 7 of the 8 step EPA ecological risk assessment process, according to EPA's ecological risk assessment guidance. It's not part of Step 8, risk management, although you and the LWG are certainly free to discuss ecological significance in the context of your Section 12 risk management recommendations. I suggest we do nothing more to Section 11 than repeat the agreed upon ecological significance text and two tables from the executive summary, with whatever edits such as changing table numbers are needed to make it fit into Section 11.

Regarding the BERA comment table, Chip caught me by surprise with that request yesterday as well. Per a phone conversation I had with Chip earlier today, the comment response tables do not need to be in the BERA or have you do anything else to them. The issue with the comment tables ended up being an internal EPA administrative record issue not requiring you or the LWG to do anything else with the comment tables.

Best regards,

Burt Shephard
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"Facts are stubborn things"
- John Adams

From: John Toll [<mailto:JohnT@windwardenv.com>]
Sent: Monday, June 03, 2013 5:44 PM

To: Shephard, Burt
Cc: Humphrey, Chip; 'James McKenna'; 'Jennifer Woronets'
Subject: RE: Portland Harbor BERA

Hi Burt. I don't see the answer to the question about whether you'll be able to check the tables tomorrow(?). As for pasting into Section 11, I think you meant Section 12 and your risk management recommendations (for Table ES-8 and the description of your ecological significance approach), right? Also, I don't follow why the draft final BERA comment response table needs to be updated. I think that Chip just needs to write a conditional approval calling for the changes that we hammered out last week. I've cc'd Jim since these seem like questions for him and Chip. (b) (6)

John

From: Shephard, Burt [<mailto:Shephard.Burt@epa.gov>]
Sent: Monday, June 03, 2013 5:21 PM
To: John Toll
Cc: Humphrey, Chip
Subject: RE: Portland Harbor BERA

John,

One thing we missed that will have to be added into Section 11. We'll have to repeat the verbage and the two executive summary tables on ecologically significant contaminants (the big four, the rest of EPA's list) in Section 11. Otherwise seems odd that we go to the trouble of an ecological significance discussion in the ES, in Section 3.4, but not in the BERA summary Section 11. Shouldn't have to develop any new text for Section 11, we can cut and paste text/tables from the ES.

We'll also have to finalize the EPA comment table on the draft final BERA to reflect the changes/agreements made that got us to the final BERA, but that's a job for Chip and I. You and the LWG will have to review the comment table once Chip and I update it.

I have nothing scheduled tomorrow and Thursday, and only one call at 1pm on Wednesday if you needed to chat, I know you're on travel this week.

Best regards,

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From: John Toll [<mailto:JohnT@windwardenv.com>]
Sent: Monday, June 03, 2013 2:59 PM

To: Shephard, Burt

Subject: Portland Harbor BERA

Hi Burt. I spoke with Jim McKenna this afternoon and he told me that he and Chip are trying to wrap up the conditional approval language for the BERA by COB tomorrow. He asked me to e-mail you to find out whether you can check the tables you wanted to confirm by noon tomorrow. Would you let me know please? Thanks in advance, John